

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JITKA ROTSCCHILD,

Plaintiff,

v.

JANET NAPOLITANO, et al.,

Defendants.

HON. JEROME B. SIMANDLE

Civil No. 10-5404 (JBS/JS)

ORDER

This matter having come before the Court upon Defendants' motion to dismiss and, in the alternative, for summary judgment [Docket Item 6]; the Court having considered the submissions of the parties; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 22nd day of **August, 2011** hereby

ORDERED that Defendants' motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

Plaintiff's claim for declaratory judgment is **DISMISSED**

WITHOUT PREJUDICE as unripe;

And Defendants' motion is otherwise denied.

s/ Jerome B. Simandle

JEROME B. SIMANDLE

United States District Judge